

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MITCHELL PARRISH,

Plaintiff,

vs.

ENDURANCE DEALER SERVICES,
LLC d/b/a ENDURANCE
WARRANTY SERVICES, LLC,

Defendant.

Cause No. CV 24–78–M–DWM

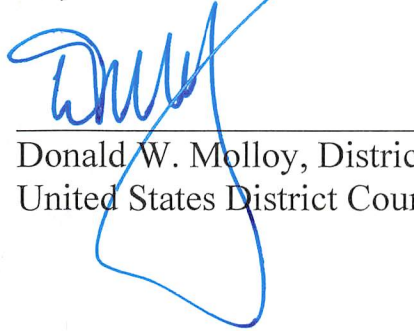
ORDER

On December 6, 2024, Defendant Endurance Dealer Services, LLC¹ (“Endurance”) moved to vacate the hearing set for December 17, 2024, because it cannot represent that there is complete diversity of citizenship, 28 U.S.C. § 1332, as research into its ownership has failed to identify the citizenship of all members that own interests in Endurance. (Doc. 39.) In response, Plaintiff Mitchell Parrish requests sanctions against Endurance and the award of full attorney fees and costs to Parrish because Endurance allowed the motions in the above-captioned case to be fully briefed before raising the jurisdictional issues. (Doc. 40.) On December 9, 2024, Endurance replied addressing jurisdictional, but not sanctions, issues. (Doc. 41.)

¹ Endurance Dealer Services, LLC was improperly sued as Endurance Dealer Services, LLC d/b/a Endurance Warranty Services, LLC.

Accordingly, IT IS ORDERED that the motion to vacate, (Doc. 39), is DENIED, however parties shall present arguments regarding jurisdiction and sanctions at the hearing on December 17, 2024.

DATED this 10th day of December, 2024.



Donald W. Molloy, District Judge
United States District Court